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# GOVERNMENT GAZETTE

## BOLETIM OFICIAL

### GOVERNMENT OF GOA, DAMAN AND DIU

Finance (Expenditure) Department

#### Memorandum

3-40/66/Fin(Exp)/Part II

The Government of India, Ministry of Home Affairs, New Delhi, in their letter No. F.1/75/66-GP (Vol. II) dated 3rd September, 1968, have conveyed their approval to the corrections to be made to the Annexures to the letter Nos. F.1/117/65-GP and F.1/75/66-GP dated 15th January, 1966 and 29th September 1967, published in Government Gazettes (Supplement) no. 46, Series I dated 11th February, 1966 and no. 27, Series I, dated 6th October, 1967, respectively. The corrections are as follows:—

1. In place of item no. 7 under Section XXIX-Land Register's Office in Annexure III to the letter dated 29th September, 1967, the following shall be substituted:—

(1)	(2)	(3)	(4)	(5)
7.	Assistant Civil Registrar Grade III and Auxiliary.	Rs. 250-00	Lower Division Clerk	Rs. 110-3-131-4-155-EB-4-175-5-180
		Rs. 216-65	Lower Division Clerk	Rs. 110-3-131-4-155-EB-4-175-5-180

2. In column (3) under section XXII-Fisheries Department, the amount of Rs. 180-00 against the post of Oilman should be substituted by Rs. 358-33.

3. For the Portuguese pay of Rs. 291-66 against the post of Mechanics under Section VI of Appendix II of letter dated the 29th September, 1967, read Rs. 216-66. In view of this the revised designation of the post would be Masteric Grade III and not Mechanic Grade II, and the appropriate Central Scale of pay for this post would be Rs. 110-3-131 and not Rs. 125-3-131-4-155.

Similarly, for the Portuguese pay of Rs. 116-66 against the post of Capatas under Section VI of Appendix II of the letter dated 29th September 1967, read Rs. 191-66. The existing designation of the post as Superior Field Worker and the Central scale of pay of Rs. 95-3-110 will however, not be affected.

4. From item 7 under Section XXVII-Excise Department delete the word «externo» from Column No. 2 and add the following entry below it:—

(1)	(2)	(3)	(4)	(5)
7.	Assalariado do Quadro do Tráfego do Serviço Externo	Rs. 100/-	Assistant Excise Guards	Rs. 75-1-85-EB-2-95

5. The President has also been pleased to decide that for the existing entry against item no. 33 under Section XXIII-Posts in the Public Works Department of the Annexure to this Ministry's letter No. F.1/117/65-GP dated the 15th January, 1966, the following entry should be substituted.

33.	Incharge of Administration Work	Rs. 433-00	Head Clerk	Rs. 210-10-290-15-320-EB-15-380
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6. It has also been decided that under Section VII — Department of Education (National Lyceum of Goa) in Appendix II of letter dated 29th September, 1967 the entries for and against the post of 'Empregado das Instalações do Gabinete' will be deleted and the following entry added as the last item under National Lyceum of Goa.

(2)	(3)	(4)	(5)
Empregado das Instalações do Gabinete	Rs. 291-66 Rs. 25-00 Spl. Pay	Laboratory Assistant	Rs. 110-4-150-EB-4-170-5-180-EB-5-280

V. S. Srinivasagopalan, Under Secretary (Finance).

Panaji, 30th October, 1968.

Kartika 8, 1890.

Law and Judicial Department

#### Notification

LD/2/N/47/68

The Rice-Milling Industry (Regulation) Amendment Act, 68 (29 of 68) which was recently passed by Parliament and assented to by the President of India on 7-8-68, is hereby republished for general information.

V. R. Vaze, Under Secretary (Law).

Panaji, 28th October, 1968.

# The Rice-Milling Industry (Regulation) Amendment Act, 1968

AN

ACT

to amend the Rice-Milling Industry (Regulation) Act, 1958.

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Rice-Milling Industry (Regulation) Amendment Act, 1968.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. **Amendment of section 3.**—In the Rice-Milling Industry (Regulation) Act, 21 of 1958 (hereinafter referred to as the principal Act), in section 3,—

(1) for clause (a), the following clause shall be substituted, namely:—

“(a) “defunct rice mill” means—

(i) a rice mill in existence at the commencement of this Act but in which rice-milling operations have not been carried on for a continuous period of one year prior to such commencement; and

(ii) a rice mill (whether established before or after such commencement) in which rice-milling operations are not carried on for a continuous period of one year at any time after the commencement of the Rice-Milling Industry (Regulation) Amendment Act, 1968;”

(2) to clause (b), the following proviso shall be added, namely:—

“Provided that if in any such rice mill rice-milling operations are not carried on for a continuous period of one year at any time after the commencement of the Rice-Milling Industry (Regulation) Amendment Act, 1968, then, such mill shall, on the expiry of the said period of one year, cease to be an existing rice mill and be deemed to be a defunct rice mill;”

(3) for clause (d), the following clause shall be substituted, namely:—

“(d) “milling-rice”, with its grammatical variations, means—

(i) recovering rice of any product thereof from paddy;

(ii) polishing rice,

with the aid of power;”

(4) after clause (g), the following clause shall be inserted, namely:—

“(gg) “polishing” in relation to rice means the removal of bran from the kernel of rice;”

3. **Insertion of new section 3A.**—In the principal Act, after section 3, the following section shall be inserted, namely:—

“3A. **Application of the Act to rice-hullers.**—

The provisions of this Act shall apply to rice-hullers attached to, or maintained with, any flour, oil, dal or other mill, or pumping set as they apply to rice mills subject to the modifica-

tion that any reference to the commencement of this Act in those provisions shall, in their application to such rice-hullers, be construed as a reference to the commencement of the Rice-Milling Industry (Regulation) Amendment Act, 1968.”

4. **Amendment of section 5.**—In section 5 of the principal Act,—

(1) in sub-section (3), for the words “such other conditions as it may think fit”, the words “such other conditions (including such conditions as to improvements to existing machinery, replacement of existing machinery and use of improved methods of rice-milling, as may be necessary to eliminate waste, obtain maximum production and improve quality) as it may think fit” shall be substituted;

(2) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) (a) In granting a permit under this section (whether for the establishment of a new rice mill or for re-commencing rice-milling operation in a defunct rice mill), the Central Government shall give preference—

(i) to a Government company or a corporation owned or controlled by the Government over every other applicant;

(ii) to a farmers’ co-operative society over every other applicant, not being a Government company or a corporation owned or controlled by the Government,

notwithstanding that such other applicant has applied for the grant of a permit for re-commencing rice-milling operation in a defunct rice mill.

(b) Subject to the provisions of clause (a), in granting a permit under this section, the Central Government shall give preference to a defunct rice mill over a new rice mill.

**Explanation.**—In this sub-section,—

(i) “Co-operative society” means a society registered or deemed to be registered under the Co-operative Societies Act, 1912 or any other law relating to co-operative societies for the time being in force in any State and “farmers’ co-operative society” means a co-operative society the members whereof include farmers and the voting rights in which are, according to its rules and bye-laws, restricted to the following classes of its members, namely:—

(a) farmers,

(b) State Governments,

(c) primary agricultural credit societies as defined in clause (cii) of section 2 of the Reserve Bank of India Act, 1934;

(ii) “Government company” has the same meaning as in the Companies Act, 1956.”

(3) in sub-section (6),—

(i) for the words “shall be effective”, the words “shall be valid” shall be substituted;

(ii) the following proviso shall be added at the end, namely: —

"Provided that if in a mill in respect of which a permit has been granted under sub-section (3) rice-milling operation is not carried on for a continuous period of one year at any time after the commencement of the Rice-Milling Industry (Regulation) Amendment Act, 1968, then, such permit shall cease to be valid upon the expiry of the said period of one year and a fresh permit shall be necessary for re-commencing rice-milling operation in that mill."

**5. Amendment of section 6.** — In section 6 of the principal Act, —

(1) in sub-section (1), for the words and figure "a permit has been granted under section 5", the words and figure "a permit granted under section 5 is effective" shall be substituted;

(2) in sub-section (3), for the brackets and words "(including, in particular, conditions relating to the polishing of rice)", the brackets and words "(including such conditions as to improvements to existing machinery, replacement of existing machinery and use of improved methods of rice-milling, as may be necessary to eliminate waste, obtain maximum production and improve quality and conditions relating to the polishing of rice)" shall be substituted;

(3) for sub-section (4), the following sub-section shall be substituted, namely: —

"(4) A licence granted under this section shall be valid for the period specified therein and may be renewed from time to time for such period and on payment of such fees and on such conditions (including such conditions as to improvements to existing machinery, replacement of existing machinery and use of improved methods of rice-milling, as may be necessary to eliminate waste, obtain maximum production and improve quality) as may be prescribed:

Provided that if in a mill in respect of which a licence has been granted under sub-section (3) rice-milling operations are not carried on for a continuous period of one year at any time after the commencement of the Rice-Milling Industry (Regulation) Amendment Act, 1968, then, such licence shall cease to be valid upon the expiry of the said period of one year and a fresh licence shall be necessary for carrying on rice-milling operations in that mill."

**6. Amendment of section 8.** — In section 8 of the principal Act, in sub-section (3), —

(i) in clause (a), for the words "after the expiry of the period of the validity of the licence," the words "after the licence has ceased to be valid" shall be substituted;

(ii) for the proviso to clause (d), the following proviso shall be substituted, namely: —

"Provided that no such permission shall be necessary, —

(i) where such expansion is in accordance with the terms and conditions of the permit or licence granted under this Act in respect of the rice mill; or

(ii) for the replacement merely of any parts of the machinery of the rice mill if such replace-

ment does not result in an increase in the productive capacity of the rice mill."

**7. Amendment of section 13.** — In section 13 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely: —

"(1) If any person contravenes or attempts to contravene or abets the contravention of any of the provisions of section 8 or sub-section (2) of section 18, he shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to ten thousand rupees, or with both, and in the case of a continuing contravention, with an additional fine which may extend to five hundred rupees for every day during which such contravention continues after conviction for the first such contravention:

Provided that where such contravention, attempt or abetment relates to sub-section (1), or sub-section (2), or clause (a) or clause (b) of sub-section (3) of section 8, or sub-section (2) of section 18, he shall be punishable with imprisonment for a term which shall not be less than one month."

**8. Insertion of new sections 14A and 14B.** — After section 14 of the principal Act, the following sections shall be inserted, namely: —

**"14A. Burden of proof in certain cases.** — Where paddy, husk, rice or broken rice is recovered from the premises of a mill, it shall be presumed, unless the contrary is proved by the owner, that rice-milling operations are carried on in that mill.

**14B. Confiscation of plant and machinery.** — Where any person has been convicted for contravention of any of the provisions of section 8 or of sub-section (2) of section 18, then, the court convicting such person may order confiscation of the plant and machinery with which rice-milling operations in contravention of such provision were carried on:

Provided that where such person is convicted for a second or subsequent offence, the court shall order confiscation of such plant and machinery."

**9. Amendment of section 21.** — In sub-section (1) of section 21 of the Principal Act, for the words "any person", the words "any officer or authority" shall be substituted.

**10. Amendment of section 22.** — In section 22 of the principal Act, —

(1) in sub-section (2), —

(a) after clause (b), the following clause shall be inserted, namely: —

"(bb) the form of a permit under section 5 and the conditions (including conditions relating to improvements to existing machinery, replacement of existing machinery and use of improved methods of rice-milling) subject to which a permit may be granted and the time within which such conditions shall be complied with;"

(b) in clause (d), for the words "including conditions relating to the polishing of rice",

the words "including conditions relating to improvements to existing machinery, replacement of existing machinery, use of improved methods of rice-milling and polishing of rice, the time within which such conditions shall be complied with" shall be substituted.

(2) for sub-section (4), the following sub-section shall be substituted, namely:—

"(4) Every rule made by the Central Government under this section shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

#### Notification

LD/2/N/48/68

The Requisitioning and Acquisition of Immovable Property (Amendment) Act, (31 of 1968) which was recently passed by Parliament and assented to by the President of India on 9-8-68, is hereby republished for general information.

V. R. Vaze, Under Secretary (Law).

Panaji, 28th October, 1968.

#### The Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1968

AN

ACT

*further to amend the Requisitioning and Acquisition  
of Immovable Property Act, 1952.*

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1968.

2. **Amendment of section 8.**—In section 8 of the Requisitioning and Acquisition of Immovable Property Act, 1952 30 of 1952. (hereinafter referred to as the principal Act), for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) The compensation payable for the acquisition of any property under section 7 shall be the price which the requisitioned property would have fetched in the open market, if it had remained in the same condition as it was at the time of requisitioning and been sold on the date of acquisition."

3. **Insertion of new section 25.**—In the principal Act, after section 24, the following section shall be inserted and shall be deemed to have been inserted with effect on and from the 10th day of January, 1968, namely:—

"25. **Special provision as to certain requisitions under Act 51 of 1962.**—(1) Notwithstanding anything contained in this Act, any immovable property requisitioned by the Central Government or by any officer or authority to whom powers in this behalf have been delegated by that Government, under the Defence of India Act, 1962, and the rules made thereunder (including any immovable property deemed to have been requisitioned under the said Act) which has not been released from such requisition before the 10th January, 1968, shall, as from that date, be deemed to have been requisitioned by the competent authority under the provisions of this Act for the purpose for which such property was held immediately before the said date and all the provisions of this Act shall apply accordingly:

Provided that—

(a) all determinations, agreements and awards for the payment of compensation in respect of any such property for any period of requisition before the said date and in force immediately before the said date, shall continue to be in force and shall apply to the payment of compensation in respect of that property for any period of requisition as from the said date;

(b) anything done or any action taken (including any orders, notifications or rules made or issued) by the Central Government or by any officer or authority to whom powers in this behalf have been delegated by that Government, in exercise of the powers conferred by or under Chapter VI of the Defence of India Act, 1962, shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this section was in force on the date on which such thing was done or action was taken.

(2) Save as otherwise provided in sub-section (1), the provisions of the Defence of India Act, 1962, and the rules made thereunder, in so far as those provisions relate to the requisitioning of any such immovable property as is referred to in sub-section (1), shall as from the 10th January, 1968, cease to operate except as respects things done or omitted to be done before such cesser and section 6 of the General Clauses Act, 1897, shall apply upon such cesser of operation as if such cesser were a repeal of an enactment by a Central Act." 10 of 1897.

4. **Repeal and saving.**—(1) The Requisitioning and Acquisition of Immovable Property (Amendment) Ordinance, 1968, is hereby repealed. Ord. 4 of 1968.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

#### Notification

LD/2/N/50/68

The Press and Registration of Books (Amendment) Act, 68 (8 of 68) which was recently passed by Parliament and assented to by the President of India on 8-8-68 is hereby republished for general information.

V. R. Vaze, Under Secretary (Law).

Panaji, 28th October, 1968.

#### The Press and Registration of Books (Amendment) Act, 1968

AN  
ACT

*further to amend the Press and Registration of Books Act, 1867*

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Press and Registration of Books (Amendment) Act, 1968.

2. **Amendment of section 5A.**—In section 5A of the Press and Registration of Books Act, 1867, for the words, brackets and figures “after the expiry of a period of two months from the date of commencement of the Press and Registration of Books (Amendment) Act, 1965 unless before the expiry of that period”, at both the places where they occur, the words, figures and letters “after the 31st day of December, 1968, unless before the expiry of that date” shall be, and shall be deemed always to have been, substituted.

#### Notification

LD/2/N/51/68

The Inter-State Disputes (Amendment) Act, 68(35 of 68) which was recently passed by Parliament and assented to by the President of India on 22-8-68 is hereby republished for general information.

V. R. Vaze, Under Secretary (Law).

Panaji, 28th October, 1968.

#### The Inter-State Water Disputes (Amendment) Act, 1968

AN  
ACT

*further to amend the Inter-State Water Disputes Act, 1956*

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Inter-State Water Disputes (Amendment) Act, 1968.

2. **Amendment of section 4.**—In section 4 of the Inter-State Water Disputes Act, 1956 (hereinafter referred to as the principal Act), for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The Tribunal shall consist of a Chairman and two other members nominated in this behalf by the Chief Justice of India from among persons who at the time of such nomination are Judges of the Supreme Court or of a High Court.”.

3. **Amendment of section 5.**—In section 5 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) If the members of the Tribunal differ in opinion on any point, the point shall be decided according to the opinion of the majority.”.

4. **Insertion of new section 5A.**—After section 5 of the principal Act, the following section shall be inserted, namely:—

“5A. **Filling of vacancies.**—If, for any reason a vacancy (other than a temporary absence) occurs in the office of the Chairman or any other member of a Tribunal, such vacancy shall be filled by a person to be nominated in this behalf by the Chief Justice of India in accordance with the provisions of sub-section (2) of section 4, and the investigation of the matter referred to the Tribunal may be continued by the Tribunal after the vacancy is filled and from the stage at which the vacancy occurred.”.

5. **Amendment of section 9.**—In section 9 of the principal Act, in sub-section (4), for the words “Subject to any rules that may be made under this Act”, the words “Subject to the provisions of this Act and any rules that may be made thereunder” shall be substituted.

6. **Amendment of section 10.**—In section 10 of the principal Act, for the words “The presiding officer of a Tribunal”, the words “The Chairman and other members of a Tribunal” shall be substituted.

7. **Amendment of section 13.**—In section 13 of the principal Act,—

(1) in clause (d) of sub-section (2), for the words “the presiding officer”, the words “the Chairman and other members” shall be substituted;

(2) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) Every rule made under this section shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without

prejudice to the validity of anything previously done under that rule.”.

#### Notification

LD/2/N/54/68

The Advocates (Amendment) Act, 68 (33 of 1968) which was recently passed by Parliament and assented to by the President of India on 18-8-68, is hereby republished for general information.

V. R. Vaze, Under Secretary (Law).

Panaji, 28th October, 1968.

#### The Advocates (Amendment) Act, 1968

AN  
ACT

*further to amend the Advocates Act, 1961*

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Advocates (Amendment) Act, 1968.

(2) It shall be deemed to have come into force on the 5th day of June, 1968.

2. **Amendment of section 24.**—In clause (a) of sub-section (3) of section 24 of the Advocates Act, 1961 (hereinafter referred to as the principal Act), the words, figures and letters “before the 31st day of March, 1964” and “then in force” shall be omitted. 25 of 1961.

3. **Insertion of new section 58 AB.**—After section 58 AA of the principal Act, the following section shall be inserted, namely:—

“58AB. Special provisions with respect to certain persons enrolled by Mysore State Bar Council.—Notwithstanding anything contained in this Act or any judgment, decree or order of any court or any resolution passed or direction given by the Bar Council of India, every person who was admitted as an advocate on the State roll by the State Bar Council of Mysore during the period beginning with the 28th day of February, 1963, and ending on the 31st day of March, 1964, on the basis of his having obtained a certificate of pleadership from the High Court of Mysore, shall, save as otherwise provided, be deemed to have been validly admitted as an advocate on that State roll and accordingly entitled to practise the profession of law (whether by way of pleading or acting or both):

Provided that where any such person has elected to be enrolled as an advocate on the roll of any other State Bar Council, his name shall be deemed to have been struck off the roll of the State Bar Council of Mysore from the date he was enrolled by the other State Bar Council:

Provided further that the seniority of such person, whether his name is borne on the State roll of the State Bar Council of Mysore, or on the State roll of any other Bar Council, shall,

for the purposes of clause (d) of sub-section (3) of section 17, be determined by reckoning the 16th day of May, 1964, as the date of admission.”.

4. **Repeal and saving.**—(1) The Advocates (Amendment) Ordinance, 1968 is hereby repealed. 3 of 1968.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

#### Office of the Chief Electoral Officer

#### Notification

ELN/ERR/60/68

The following Notification No. 469/68(2)-Goa dated 17-10-68 issued by the Election Commission of India is hereby published for general information.

R. L. Segel, Law Secretary and Chief Electoral Officer.

Panaji, 30th October, 1968.

#### Election Commission of India

#### Notification

*New Delhi, dated the 17th October, 1968*

In pursuance of sub-rule (1) of rule 23 of the Registration of Electors Rules, 1960, the Election Commission hereby directs that the following amendment shall be made in its notification no. 126/GOA/63, dated the 9th September, 1963, namely—

For the word and figures “rule 21” the words, figures and letter “rule 21 or rule 21A” shall be substituted.

[No. 429/68(2)/Goa]

K. S. RAJAGOPALAN

Secretary to the Election Commission.

#### Notification

ELN/SYM/68

The following Notification No. 56-68-XII dated 25th October, 1968, issued by the Election Commission of India is hereby published for general information.

R. L. Segel, Law Secretary and Chief Electoral Officer.

Panaji, 30th October, 1968.

#### Notification

*New Delhi-1, dated the 25th October, 1968*

In pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following



amendment in its notification No. 56/68-VIII (S. O. 2960), dated the 31st August, 1968, namely:

In table 3, against the entry 17. West Bengal, in the column, free symbols, for entries "(8) A pair of pigeons and (9) Haldhar", the entries "(8) A pair of pigeons, (9) Haldhar and (10) Elephant" shall be substituted.

[No. 56/68-XII]

By order,

K. S. RAJAGOPALAN  
Secretary to Election Commission

### Notification

OAT/AFM/CND/68

The following notification no. 3/3/68(1) dated 25-10-1968 issued by the Election Commission of India is hereby republished for general information.

R. L. Segel, Law Secretary and Chief Electoral Officer.

Panaji, 31st October, 1968.

*Talkatora Road, New Delhi-1, dated the 25th October, 1968, Kartika 3, 1890 (Saka)*

In pursuance of clause (a) of article 84 and clause (a) of article 173 of the Constitution of India the Election Commission hereby makes the following amendments, in its Notification No. 3/6/68(1) dated the 18th March, 1968, published as S. O. 1111 in the Gazette of India Extraordinary, Part II, Section 3, sub-section (ii) namely:—

In the said notification—

- (a) in paragraph 1, for the words «hereby authorises the returning officer concerned and all the assistant returning officers subordinate to him as the persons», the following shall be substituted, namely:—

«hereby authorises—

- (i) the returning officer concerned and all the assistant returning officers subordinate to him,
- (ii) all stipendiary presidency magistrates and all stipendiary magistrates of the first class, and
- (iii) all district judges and all persons belonging to the judicial service of a State other than district judges,

as the persons»;

- (b) in the *Explanation*, after clause (1), the following clause shall be inserted, namely:—

«(1A) the expressions «district judge» and «judicial service» shall have the meanings respectively assigned to them in article 236 of the Constitution of India».

[No. 3/3/68(1)]

K. S. RAJAGOPALAN  
Secretary to the Election Commission of India.

Food and Civil Supplies Department

Directorate of Education

### Notification

DE/EST/Misc./68/65916

The contents of the booklet of the National Policy on Education 1968, published by the Ministry of Education, Government of India, New Delhi, are hereby re-published for information of all concerned.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. S. Varde, Director of Education and Additional Secretary to Government.

Panaji, 15th October, 1968.

### National Policy on Education

Education has always been accorded an honoured place in Indian society. The great leaders of the Indian freedom movement realised the fundamental role of education and throughout the nation's struggle for independence, stressed its unique significance for national development. Gandhiji formulated the scheme of basic education seeking to harmonize intellectual and manual work. This was a great step forward in making education directly relevant to the life of the people. Many other national leaders likewise made important contributions to national education before independence.

2. In the post-independence period, a major concern of the Government of India and of the States has been to give increasing attention to education as a factor vital to national progress and security. Problems of educational reconstruction were reviewed by several commissions and committees, notably the University Education Commission (1948-49) and the Secondary Education Commission (1952-53). Some steps to implement the recommendations of these Commissions were taken; and with the passing of the Resolution on Scientific Policy under the leadership of Jawaharlal Nehru, the development of science, technology and scientific research received special emphasis. Towards the end of the third Five Year Plan, a need was felt to hold a comprehensive review of the educational system with a view to initiating a fresh and more determined effort at educational reconstruction; and the Education Commission (1964-66) was appointed to advise Government on «the national pattern of education and on the general principles and policies for the development of education at all stages and in all aspects». The Report of the Education Commission has since been widely discussed and commented upon. Government is happy to note that a general consensus on the national policy on education has emerged in the course of these discussions.

3. The Government of India is convinced that a radical reconstruction of education on the broad lines recommended by the Education Commission is essential for economic and cultural development of the country, for national integration and for realising the ideal of a socialistic pattern of society. This will involve a transformation of the system to relate it

more closely to the life of the people; a continuous effort to expand educational opportunity; a sustained and intensive effort to raise the quality of education at all stages; an emphasis on the development of science and technology; and the cultivation of moral and social values. The educational system must produce young men and women of character and ability committed to national service and development. Only then will education be able to play its vital role in promoting national progress, creating a sense of common citizenship and culture, and strengthening national integration. This is necessary if the country is to attain its rightful place in the comity of nations in conformity with its great cultural heritage and its unique potentialities.

4. The Government of India accordingly resolves to promote the development of education in the country in accordance with the following principles:

(1) **Free and Compulsory Education:** Strenuous efforts should be made for the early fulfilment of the Directive Principle under Article 45 of the Constitution seeking to provide free and compulsory education for all children up to the age of 14. Suitable programmes should be developed to reduce the prevailing wastage and stagnation in schools and to ensure that every child who is enrolled in school successfully completes the prescribed course.

(2) **Status, Emoluments and Education of Teachers:** (a) Of all the factors which determine the quality of education and its contribution to national development, the teacher is undoubtedly the most important. It is on his personal qualities and character, his educational qualifications and professional competence that the success of all educational endeavour must ultimately depend. Teachers must, therefore, be accorded and honoured place in society. Their emoluments and other service conditions should be adequate and satisfactory having regard to their qualifications and responsibilities.

(b) The academic freedom of teachers to pursue and publish independent studies and researches and to speak and write about significant national and international issue should be protected.

(c) Teacher education, particularly in-service education, should receive due emphasis.

(3) **Development of Languages:** (a) *Regional Languages:* The energetic development of Indian languages and literature is a *sine qua non* for educational and cultural development. Unless this is done, the creative energies of the people will not be released, standards of education will not improve, knowledge will not spread to the people, and the gulf between the intelligentsia and the masses will remain, if not widen further. The regional languages are already in use as media of education at the primary and secondary stages. Urgent steps should now be taken to adopt them as media of education at the university stage.

(b) *Three-Language Formula:* At the secondary stage, the State Governments should adopt, and vigorously implement, the three language formula which includes the study of a modern Indian language, preferably one of the southern languages, apart from Hindi and English in the Hindi-speaking States, and of Hindi along with the regional language and English in the non-Hindi speaking States. Suitable courses in Hindi and/or English should also be avail-

able in universities and colleges with a view to improving the proficiency of students in these languages up to the prescribed university standards.

(c) *Hindi:* Every effort should be made to promote the development of Hindi. In developing Hindi as the link language, due care should be taken to ensure that it will serve, as provided for in Article 351 of the Constitution, as a medium of expression for all the elements of the composite culture of India. The establishment, in non-Hindi States, of colleges and other institutions of higher education which use Hindi as the medium of education should be encouraged.

(d) *Sanskrit:* Considering the special importance of Sanskrit to the growth and development of Indian languages and its unique contribution to the cultural unity of the country, facilities for its teaching at the school and university stages should be offered on a more liberal scale. Development of new methods of teaching the language should be encouraged, and the possibility explored of including the study of Sanskrit in those courses (such as modern Indian languages, ancient Indian history, Indology and Indian philosophy) at the first and second degree stages, where such knowledge is useful.

(e) *International Languages:* Special emphasis needs to be laid in the study of English and other international languages. World knowledge is growing at a tremendous pace, especially in science and technology. India must not only keep up this growth but should also make her own significant contribution to it. For this purpose, study of English deserves to be specially strengthened.

(4) **Equalisation of Educational Opportunity:** Strenuous effort should be made to equalise educational opportunity.

(a) Regional imbalances in the provision of educational facilities should be corrected and good educational facilities should be provided in rural and other backward areas.

(b) To promote social cohesion and national integration the Common School System as recommended by the Education Commission should be adopted. Efforts should be made to improve the standard of education in general schools. All special schools like Public Schools should be required to admit students on the basis of merit and also to provide a prescribed proportion of free-studentships to prevent segregation of social classes. This will not, however, affect the rights of minorities under Article 30 of the Constitution.

(c) The education of girls should receive emphasis, not only on grounds of social justice, but also because it accelerates social transformation.

(d) More intensive efforts are needed to develop education among the backward classes and especially among the tribal people.

(e) Educational facilities for the physically and mentally handicapped children should be expanded and attempts should be made to develop integrated programmes enabling the handicapped children to study in regular schools.

(5) **Identification of Talent:** For the cultivation of excellence, it is necessary that talent in diverse fields should be identified at as early an age as possible, and every stimulus and opportunity given for its full development.



**(6) Work-Experience and National Service:** The school and the community should be brought closer through suitable programmes of mutual service and support. Work-experience and national service including participation in meaningful and challenging programmes of community service and national reconstruction should accordingly become an integral part of education. Emphasis in these programmes should be on self-help, character formation and on developing a sense of social commitment.

**(7) Science Education and Research:** With a view to accelerating the growth of the national economy, science education and research should receive high priority. Science and mathematics should be an integral part of general education till the end of the school stage.

**(8) Education for Agriculture and Industry:** Special emphasis should be placed on the development of education for agriculture and industry.

(a) There should be at least one agricultural university in every State. These should, as far as possible, be single campus universities; but where necessary, they may have constituent colleges on different campuses. Other universities may also be assisted, where the necessary potential exists, to develop strong departments for the study of one or more aspects of agriculture.

(b) In technical education, practical training in industry should form an integral part of such education. Technical education and research should be related closely to industry, encouraging the flow of personnel both ways and providing for continuous cooperation in the provision, design and periodical review of training programmes and facilities.

(c) There should be a continuous review of the agricultural, industrial and other technical manpower needs of the country and efforts should be made continuously to maintain a proper balance between the output of the educational institutions and employment opportunities.

**(9) Production of Books:** The quality of books should be improved by attracting the best writing talent through a liberal policy of incentives and remuneration. Immediate steps should be taken for the production of high quality textbooks for schools and universities. Frequent changes of textbooks should be avoided and their prices should be low enough for students of ordinary means to buy them.

The possibility of establishing autonomous book corporations on commercial lines should be examined and efforts should be made to have a few basic textbooks common throughout the country. Special attention should be given to books for children and to university level books in regional languages.

**(10) Examinations:** A major goal of examination reforms should be to improve the reliability and validity of examinations and to make evaluation a continuous process aimed at helping the student to improve his level of achievement rather than at 'certifying' the quality of his performance at a given moment of time.

**(11) Secondary Education:** (a) Educational opportunity at the secondary (and higher) level is a major instrument of social change and transformation. Facilities for Secondary education should

accordingly be extended expeditiously to areas and classes which have been denied these in the past.

(b) There is need to increase facilities for technical and vocational education at this stage. Provision of facilities for secondary and vocational education should conform broadly to requirements of the developing economy and real employment opportunities. Such linkage is necessary to make technical and vocational education at the secondary stage effectively terminal. Facilities for technical and vocational education should be suitably diversified to cover a large number of fields such as agriculture, industry, trade and commerce, medicine and public health, home management, arts and crafts, secretarial training, etc.

**(12) University Education:** (a) The number of wholetime students to be admitted to a college or university department should be determined with reference to the laboratory, library and other facilities and to the strength of the staff.

(b) Considerable care is needed in establishing new universities. These should be started only after an adequate provision of funds has been made for the purpose and due care has been taken to ensure proper standards.

(c) Special attention should be given to the organisation of postgraduate courses and to the improvement of standards of training and research at this level.

(d) Centres of advanced study should be strengthened and a small number of 'clusters of centres' aiming at the highest possible standards in research and training should be established.

(e) There is need to give increased support to research in universities generally. The institutions for research should, as far as possible, function within the fold of universities or in intimate association with them.

**(13) Part-time Education and Correspondence Courses:** Part-time education and correspondence courses should be developed on a large scale at the university stage. Such facilities should also be developed for secondary school students, for teachers and for agricultural, industrial and other workers. Education through part-time and correspondence courses should be given the same status as full-time education. Such facilities will smoothen transition from school to work, promote the cause of education and provide opportunities to the large number of people who have the desire to educate themselves further but cannot do so on a full-time basis.

**(14) Spread of Literacy and Adult Education:** (a) The liquidation of mass illiteracy is necessary not only for promoting participation in the working of democratic institutions and for accelerating programmes of production, especially in agriculture, but for quickening the tempo of national development in general. Employees in large commercial, industrial and other concerns should be made functionally literate as early as possible. A lead in this direction should come from the industrial undertakings in the public sector. Teachers and students should be actively involved in organising literacy campaigns, especially as part of the Social and National Service Programme.

(b) Special emphasis should be given to the education of young practising farmers and to the training of youth for self-employment.

**(15) Games and Sports:** Games and sports should be developed on a large scale with the object of improving the physical fitness and sportsmanship of the average student as well as of those who excel in this department. Where playing field and other facilities for developing a nation-wide programme of physical education do not exist, these should be provided on a priority basis.

**(16) Education of Minorities:** Every effort should be made not only to protect the rights of minorities but to promote their educational interests as suggested in the statement issued by the Conference of the Chief Ministers of States and Central Ministers held in August 1961.

**(17) The Educational Structure:** It will be advantageous to have a broadly uniform educational structure in all parts of the country. The ultimate objective should be to adopt the 10+2+3 pattern, the higher secondary stage of two years being located in schools, colleges or both according to local conditions.

5. The reconstruction of education on the lines indicated above will need additional outlay. The aim should be gradually to increase the investment in education so as to reach a level of expenditure of 6 per cent of the national income as early as possible.

6. The Government of India recognizes that reconstruction of education is no easy task. Not only are the resources scarce but the problems are ex-

ceedingly complex. Considering the key role which education, science and research play in developing the material and human resources of the country, the Government of India will, in addition to undertaking programmes in the Central sector, assist the State Governments for the development of programmes of national importance where coordinated action on the part of the States and the Centre is called for.

7. The Government of India will also review, every five years, the progress made and recommend guidelines for future development.

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## Labour and Information Department

### Notification

MPT/IGA (E. 344)/68

As required under Section 124(2) of the Major Port Trusts Act, 1963, the following amendment to the Mormugao Port Employees (Leave) Regulations, 1964 adopted by the Board of Trustees is hereby published:

"Substitute the figure 'Rs. 300' for the figure 'Rs. 110' appearing in the sub-regulation (2) of Regulation 14".

By order,

*P. G. Kundaji*  
For Secretary.

Mormugao, 25th October, 1968.